

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

WILLIAM DAVENPORT,
Plaintiff,

v.

HENRY RICHARDS, *et al*,
Defendants.

Case No. C06-5334RJB-KLS
ORDER LIFTING STAY

This matter has been referred to Magistrate Judge Karen L. Strombom pursuant to 28 U.S.C. § 636(b)(1), Local Magistrates Rules MJR 3 and 4, and Rule 72 of the Federal Rules of Civil Procedure. The case is before the Court regarding the order staying proceedings in this matter issued on December 21, 2006. (Dkt. #28).

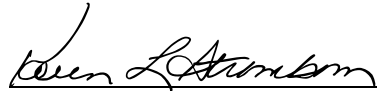
The stay in this matter was granted at state defendants' request under 50 App. U.S.C.A. § 552, because one of the defendants named in the complaint, Tony Avenson, was in active military service at the time the complaint was filed and defendant Avenson had received notice of this matter through both his legal counsel and others. As it appeared defendant Avenson likely would continue to be on military duty for in the Middle East for approximately 12 to 18 months as of mid-June 2006, which materially affected his ability to appear and defend against the claims in the complaint, the Court stayed this matter until October 30, 2007.

The Court also informed defendants that should they feel a continuation of the stay under Section

1 522 of the Act was warranted at that time, they could apply for such a continuation provided they again
2 made the proper required showing noted in the prior order granting their motion for a stay. To date, no
3 request for a continuation of the stay in this matter has been made. Accordingly, that stay hereby is lifted,
4 and this matter may proceed as before.

5 The Clerk is directed to send a copy of this Order to plaintiff and counsel for defendants.

6 DATED this 29th day of November, 2007.

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10 Karen L. Strombom
11 United States Magistrate Judge
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